

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-04-26**

Date Published: April 21, 2005
For Work Week Commencing: April 25, 2005
Commission Meeting: April 26, 2005, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Black Hills Power D2005.4.45 (Eric)

On April 6, 2005, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on April 7, 2005. Requests for hearing were due by April 25, 2005. No requests have been received. This application will increase revenues by \$16,381 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Probable motion: Approve Black Hills Power request to increase revenues pursuant to its Quarterly Fuel Rate Rider application in Docket No. D2005.4.45.

2. Citizens Telecommunications Company of Montana N2005.4.47 (Scott)

On March 28, 2005 Citizens requested changes in its tariffs for calling features. The purpose of this filing is to introduce Selective Call Acceptance as a new calling feature within the Customized Local Area Signaling Service (CLASS) and Citizen Business Select Bundled Service. Also this filing introduces a pay per use (PPU) rate for Selective Call Acceptance and Selective Call Rejection. Probable motion: Approve Citizens' request to introduce Selective Call Rejection and (PPU) rates for Selective Call Acceptance and Selective Call Rejection in Docket N2005.4.47.

3. City of Great Falls N2005.3.34
(Will)

On March 21, 2005, the City of Great Falls filed an application for a license to offer and sell retail electricity supply services to residential and small commercial customers in NorthWestern Energy's service territory. City of Great Falls is currently licensed to provide electricity to select retail customers identified in its license granted September 28, 2004 in Docket No. N2004.9.150.

Recommended Motion:

Move to deny the City of Great Falls application for a license and send a letter describing the flaws in the City's proposed standard forms and contracts. The letter will also state that the Commission will not accept an application for a license to serve residential and small commercial customers with average monthly demand less than 50 KW without an accompanying comprehensive proposal for a customer aggregation program.

4. EPCOR Merchant and Capital, Inc. N2005.3.35
(Will)

On March 24, 2005, EPCOR Merchant and Capital, Inc. filed an application for a license to offer and sell retail electricity supply services to large commercial and industrial customers with average monthly loads greater than 300 KW.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2005.2.13, D2005.4.56 – Qwest and New Rochelle Telephone Corporation – Adoption of Qwest/Covista interconnection agreement, batch hot cut and UNE-P amendment, USTA II and TRO amendment, Qwest Platform Plus (QPP) Agreement – Discuss and act on the agreements and amendments and other matters as necessary. (4/26/05)
2. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (4/26/05)
3. D2004.2.21 – Montana Attorney General – In the matter of a Commission investigation of electricity market activity affecting retail customers during the period 2000 through 2001 – Discuss and act on Special Assistant Attorney General's Motion for Clarification and Motion to Waive 10-Day Rule on filing for reconsideration. (4/26/05)
4. D2005.2.14 – NorthWestern Energy – In the matter of the application of NorthWestern Energy for advanced approval of certain proposed electricity power supply purchase agreements – Placeholder – NorthWestern Energy has advised that it will be filing a motion to withdraw the application for advanced approval of the Colstrip 4 agreement and requested that a work session be scheduled to consider that motion as soon as possible. If such a motion is filed, the purpose of the work session will be to consider and act on it. (4/26/05)
5. Legislative roundup – Report on utility-related legislation that passed in the 2005 session. (4/26/05)
6. Personnel – Excess annual leave – Obtain approval for extension until June 30 for a staff member to use up excess annual leave. (4/26/05)
7. Staff travel – To approve travel for Robin, Al and Monica to the NARUC attorneys' conference in Baltimore in June. (4/26/05)
8. Personnel – Discuss and obtain direction regarding vacant position. (4/26/05)

Other Meetings

4/27/05 10:00 a.m. – Hearing – D2004.11.175 – Wheeler complaint (Fairmont Hot Springs)

4/28/05 9:00 a.m. – Hearing D2004.3.46 – Energy West rate case (Great Falls)

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. ENERGY WEST Inc. D2005.4.54 (Eric)

On April 14, 2005, EW filed an application seeking authorization to issue up to 345,000 shares of Common Stock. This security issuance is required by the Company's credit facility with LaSalle Bank. The Company believes that the amount of leverage in its capital structure should be reduced. The Company has decided to place the Common Stock through a private placement, with expenses expected to be less than \$100,000.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person interested in seeking a copy of a protective order request should contact the Commission at 406-444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2005.4.54 – Energy West – Petition for the Issuance of Securities

N2005.4.55 – Qwest Corporation and Safeway Inc. – Individual Case Basis Agreement

D2005.4.56 – Qwest Corporation and New Rochelle Telephone Corp. – QPP Agreement

D2005.4.57 – Qwest Corporation and AT&T Communications of the Mountain States – QPP Agreement

D2005.4.58 – Qwest Corporation and Nextel West Corp. – Application for Approval of Adoption of a Wireless/Paging Interconnection Agreement

D2004.7.113 – NorthWestern Energy - May 1, 2005 Monthly Natural Gas Cost Rate Adjustment

D2004.7.114 – NorthWestern Energy – May 1, 2005 Monthly Electric Default Supply Cost Rate Adjustment